

C O P Y

260N⁴

in question

1954

October 25

NEW HAMPSHIRE LAW LIBRARY

SEP 22 1998

CONCORD, N.H.

Honorable Styles Bridges
U. S. Senate
136 North Main Street
Concord, New Hampshire

Dear Senator Bridges:

You have inquired whether a candidate in the general election, as distinct from the primary, is presently chargeable by law with the contributions and expenditures of independent political committees working in his behalf. You are respectfully advised that in my opinion the answer to this question as the law is now written is in the negative.

R.L., c. 42, s. 5, provides limitations on the total amount to be expended by a candidate in connection with the primary campaign and also prohibits contributions or contracts for the payment of money without the written consent of the candidate or his financial agent, and requires that all sums expended by or in behalf of the candidate shall be reported to the financial agent and, hence, subsequently published by him.

However, section 5 is specifically applicable exclusively to primaries and not to the general election. As the law is now written, limitations on candidates' expenditures in a general election (that is, in the period between the primary and the final general election) are contained in separate section 4 of chapter 42. When the publication requirement of section 21 is read with section 4 it becomes at once apparent that the receipts and expenditures of independent political committees are not includable within the limitations prescribed by section 4, which refers solely to expenditures by a candidate.

Thus, under the law as it is now written the operation of independent political committees in the general

C O P Y

Honorable Styles Bridges

-page 2 -

Oct. 25 '54

election is not required to be published until the second Friday
after the election pursuant to the provisions of R.L., c. 42, s. 23.

Sincerely,

Louis C. Wyman
Attorney General

LCW:ID